

SENATE, No. 4252

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 9, 2021

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Co-Sponsored by:

Assemblymen Verrelli and Freiman

SYNOPSIS

Limits extension of mandatory retirement to 90 days from State Police Retirement System during emergencies.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2022)

1 AN ACT concerning mandatory retirement from the State Police
2 Retirement System and amending P.L.2020, c.46.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2020, c.46 (C.53:5A-8.3) is amended to
8 read as follows:

9 1. When a member of the State Police Retirement System is
10 required to retire upon attaining the age of 55 years and the
11 retirement date for that member will occur after the date of the
12 declaration of a public health emergency or state of emergency, or
13 both, by the Governor as to which the Federal Emergency
14 Management Agency has established an incident period but before
15 the end date of the period identified by the Federal Emergency
16 Management Agency as the time interval during which the incident
17 that caused the emergency occurs, the retirement date shall be
18 extended, upon the request of the member, if the Superintendent
19 determines, based on a need to supplement available staffing or in
20 consideration of the member's specific assignment or expertise, that
21 the member's extended service is warranted in order to assist the
22 Division of State Police in responding to the public health
23 emergency or state of emergency, to no later than the first day of
24 the second calendar month that follows the calendar month in which
25 the end date of the incident period for the public health emergency
26 or state of emergency, whichever is later, occurs. A member may
27 make only one request for an extension, which shall include any
28 request made prior to the effective date of P.L. , c. (pending
29 before the Legislature as this bill). An extension requested pursuant
30 to this section shall not exceed 90 days in duration, and may be
31 terminated at any time if the Superintendent determines that there is
32 no longer a need to supplement available staffing or for the
33 member's specific assignment or expertise that would warrant the
34 member's extended service in order to assist the Division of State
35 Police in responding to the public health emergency or state of
36 emergency.

37 This section shall be applicable to requests submitted by
38 members prior to, or on, or after the effective date of this act,
39 P.L. , c. (pending before the Legislature as this bill).

40 This section shall not be deemed to alter or impair the
41 entitlement and obligation set forth in subsection d. of section 8 of
42 P.L.1965, c.89 (C.53:5A-8).
43 (cf: P.L.2020, c.46, s.1)

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

2. This act shall take effect on the 30th day after the date of enactment, and shall apply with respect to any declaration of a public health emergency or state of emergency declared or in effect on or after the effective date of this act.

7	STATEMENT
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9 This bill limits to 90 days the period during which members of
10 the State Police Retirement System can be kept on past their
11 scheduled retirement dates. The bill also gives the Superintendent
12 of the State Police discretion in permitting these extensions of
13 service based on a need to supplement available staffing or in
14 consideration of the member's specific assignment or expertise.

Under current law, the retirement may be extended for an indefinite period. At the beginning of the COVID-19 pandemic, the law was changed to allow members of the State Police Retirement System, at their request, to delay their mandatory retirement at age 55 until the end of the emergency. The change did not apply only to the COVID-19 pandemic, but to all future emergency periods. The change was meant to address the concerns of a reduction in members through retirement when their expertise and services were urgently needed.

24 Members have been able to stay on past their retirement,
25 blocking promotional opportunities as more individuals continue to
26 be added to the extended retirement list.

27 This bill will help ensure the emergency relief aspect of the law
28 is better implemented and not solely based on a member's own
29 discretion, but on the needed response to an emergency.